



Federal Communications Commission
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Pursuant to Public Notice DA 05-3288, released December 22, 2005, the Wireline Competition Bureau hereby files the attached material related to SMS/800 Update 16.3 for inclusion in the record in CC Docket 01-92.

Material Provided by: InterMetro Communications, Inc.

Date: November 17, 2005.

For further information, contact Randy Clarke of the Pricing Policy Division, Wireline Competition Bureau at (202) 418-1530, or randy.clarke@fcc.gov.



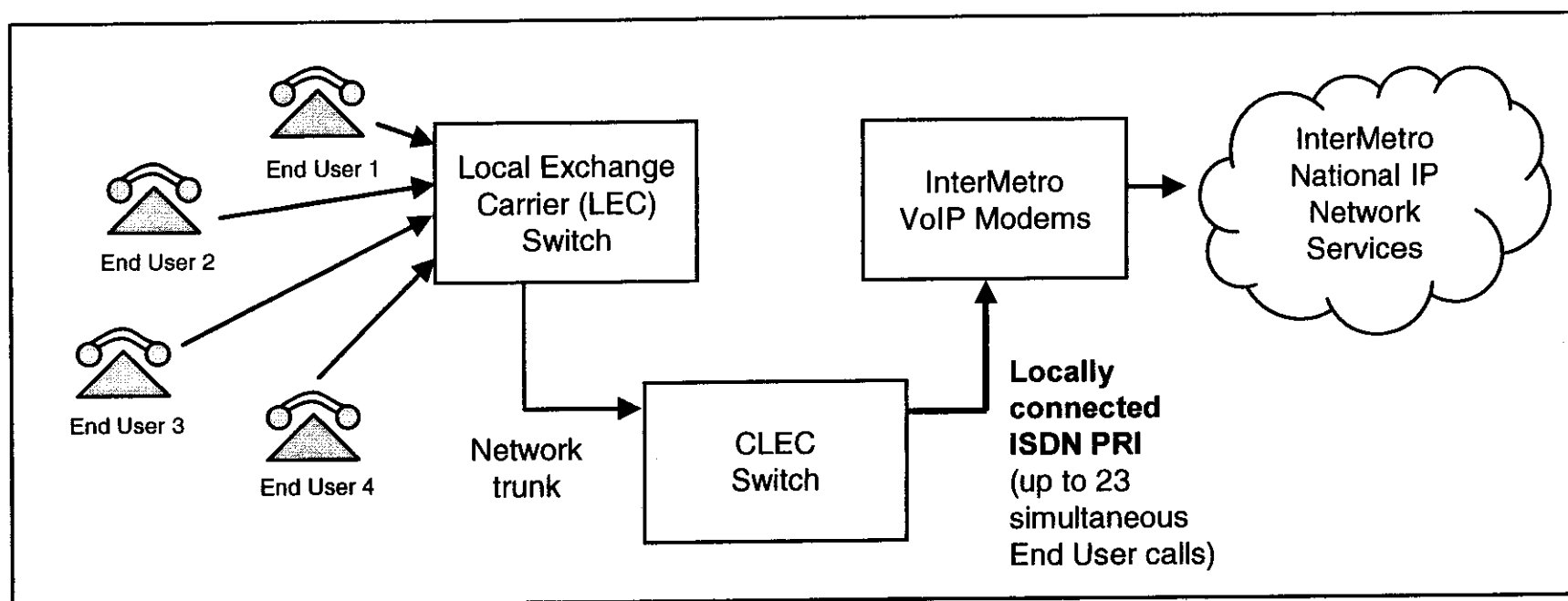
InterMetro Communications, Inc. Presentation Regarding SMS/800 Release 16.3

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InterMetro Communications

- InterMetro Communications (“InterMetro”) is a Responsible Organization (“Resp Org”) purchasing services under The Bell Operating Companies Tariff F.C.C. No. 1 (“SMS/800 Tariff”).
- InterMetro built a national VoIP network, and sells wholesale information VoIP services to retail service providers. Applications include conference centers, calling cards, dating services...
- InterMetro purchases ISDN PRIs and DIDs from CLECs under negotiated service agreements.
- InterMetro’s on-network origination services: 8YY calls are routed locally to CLEC partners, and then over CLECs’ PRIs to InterMetro’s VoIP modem gateways.
- InterMetro uses the 0110 CIC to route these 8YY calls.

Typical On-Network Configuration



SMS/800 Release 16.3

- Would give any LEC the system tools to unilaterally block calls routed with the 0110 CIC that originate on or traverse the LEC's network.
 - "Grandparent (ILEC) → Parent (CLEC) → Child (all others)."
 - No notice to Resp Orgs, like InterMetro, of when, where or if calls will be blocked.
- Assumes access charges are due on all 0110 routed traffic, regardless of whether the toll-free services are "enhanced."
- Diminishes Resp Org rights, purchased under tariff, to assign the 0110 CIC to an 800 number, and route calls to a telephone number (e.g., a DID associated with an ISDN PRI/VoIP gateway).
- Suggests, incorrectly, that it is plausible for companies, like InterMetro, to negotiate new agreements with numerous LECs in order to ensure reliable on-network services.
- Creates multiple points of failure in the establishment and maintenance of 8YY services (*i.e.*, manual input of data leads to unintended service disruptions).

Tariff Overview

■ Tariff definition of Resp Orgs:

- “The entity that has total responsibility for the account management of a particular 800 number, including maintaining its customer record in the SMS/800 system. Also, the entity to which logon IDs are assigned. An entity which accesses the SMS/800 to (a) search for and reserve 800 numbers and (b) create and maintain 800 number customer records, including call processing records for exchange and exchange access 800 service.”

(SMS/800 Tariff §2.7, emphasis added)

■ Tariff Provision Requiring Notice of SMS/800 Changes:

- “The Company will provide a minimum sixty (60) days advance notice to Resp Orgs of any changes in the screens used to input data on-line into the SMS/800 and for specification changes in the Mechanized Generic Interface. The Company will also notify Resp Orgs of any significant retraining as may be required by a major update, modification, and/or enhancement to any SMS/800 procedures which affect the Resp Org. The scheduling of any necessary formal retraining will be handled by the Company.”

(SMS/800 Tariff §2.1.6 (C), emphasis added)

■ Tariff provision claimed by SMS/800 Management Team to provide authority for Release 16.3:

- “...In general, the Resp Org is responsible to: ...Notify and obtain the acceptance of any LEC or IC to which traffic for a specific 800 number will be routed. Notification and/or acceptance is not required for specific LECs and/or ICs who have waived their rights to be notified and/or to accept traffic.”

(SMS/800 Tariff §2.3.1, emphasis added)

InterMetro's Two Requests

- Prohibit companies from blocking the VoIP services of their competitors.
 - Billing system problems should be remedied by billing system solutions.

- Promptly resolve pending proceedings regarding intercarrier compensation and treatment of IP-enabled services and apply determinations on a prospective basis only.

Any Material Changes To The Current Procedures for 0110 Traffic Should Have The Following Safeguards:

- Protections to ensure that consumers will not be harmed by service disruptions;
- Protections to ensure that no individual companies or class of companies will be favored over other companies (e.g., LECs over non-LECs, large LECs over smaller LECs...);
- Prohibitions against blocking traffic unless expressly authorized by the Commission;
- Provision for timely notice to Resp Orgs that their routing instructions will be blocked (not merely that the instructions can be blocked); and
- Provision for adequate staffing and training of SMS/800 Help Desk staff to answer questions and remedy mistakes.

Update Since InterMetro's 9/19/05 Presentation To Staff

- Deficient notice from SMT regarding Release 16.3 – the industry is unaware of any implementation schedule and the fact that Release 16.3 would enable *originating LECs* to block 0110 traffic.
- SMT confirmed that all Resp Org/LEC Agreements and all ILEC/CLEC Agreement must expressly address 0110 routing.
- SMT has not addressed the implementation questions raised by InterMetro and Staff.
- Several new Commission proceedings will address whether access charges will apply to VoIP traffic that Release 16.3 functionality could summarily block.
- Some of our CLEC partners threatened by ILECs with lawsuits for retroactive access charges.